IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

WP(C).No. 2670 of 2007(P)

PETITIONER:

P.RAMACHANDRAN, CHIEF TOWN PLANNER,
THIRUVANANTHAPURAM (UNDER SUSPENSION).

BY ADV. SRI.B.S.SWATHY KUMAR

RESPONDENT:

STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT (G) DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI.BIJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

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WP(C).No.2670 OF 2007-P.

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Dated this the 19th day of February, 2007.

J U D G M E N T

The petitioner was placed under suspension as per order passed on 18-3-2004 (Ext.P1). In the normal course a review ought to have taken place to see whether the suspension should continue further and whether the employee can be reinstated in service. Normally, that is to be done periodically within six weeks or at reasonable intervals. The request made by the petitioner was rejected in June, 2005 stating that investigation into the allegations against the petitioner had been going on. After waiting for some more time and on seeing that the charge sheet has been filed before the competent Court on completion of the investigation by the police, the petitioner filed Ext.P4 representation.

2. Government Pleader, on instructions, submits that Ext.P4 has been received in the office of the Secretary to Government, Local Self Government Department and that the same is under consideration.

3. Counsel for the petitioner submits that the respondent may be directed to take early decision on

Ext.P5. The contention in Ext.P5 is that the reinstatement of the petitioner will not cause any hindrance or prejudice to the case as was thought earlier at the time of investigation. In the light of the subsequent events, it is open to the respondent to reconsider the question of reinstatement, having regard to relevant aspects.

4. Heard Government Pleader also.

5. In the circumstances, I direct the respondent to consider Ext.P5 on merits and pass orders in accordance with law within one month from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of the judgment and a copy of the writ petition before the respondent for compliance.

The writ petition is disposed of as above.

K.K.DENESAN, JUDGE.

kvs/-